

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Sommers, *et al.*

Appl. No. 10/616,505

Filed: July 9, 2003

For: **Apparatus And Method For Fluid
Delivery To A Hybridization
Station**

Confirmation No.: 1746

Art Unit: 1743

Examiner: Levkovich, N.

Atty. Docket: INV850/4-012US/55007

Reply to Restriction Requirement and Election of Species

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action dated September 6, 2006 concerning the restriction requirement and election of species.

Restriction Requirement

Applicants elect restriction group I, claims 1-18, drawn to a fluid handling apparatus for delivering fluid to a biochip, classified in class 422, subclass 100. The election of restriction group I is made without traverse.

Species Election

Applicants elect the following:

Species I / Group I, drawn to a fluid handling apparatus not controlled by a processor. Claims 1-16 read on the elected species.

These elections are made without prejudice to or disclaimer of the other claims or invention disclosed. Applicants reserve their rights pursuant to 37 C.F.R. § 1.114(a) to have additional species considered in the event that a generic claim is found allowable.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional fees are due for net addition of claims, or if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required are hereby authorized to be charged to our Deposit Account No. 50-3994.

Respectfully submitted, .

/Natalie A. Davis/

Natalie A. Davis
Agent for Applicants
Reg. No. 53,849
Ph: 760-268-7469

Date: October 30, 2006